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HOUSE BILL 397

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

INTRODUCED BY

Don L. Tripp

AN ACT

RELATING TO WATER; REQUIRING THE STATE ENGINEER TO REJECT
INCOMPLETE APPLICATIONS FOR NEW APPROPRIATIONS OF WATER;
IMPOSING PROCEDURES AND STANDARDS FOR APPLICATIONS TO
APPROPRIATE WATER.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of Chapter 72, Article 1 NMSA
1978 is enacted to read:

"[NEW MATERIAL] APPLICATION TO APPROPRIATE--SUFFICIENT
SPECIFICITY REQUIRED FOR ACCEPTANCE--STATE ENGINEER TO
PERSONALLY REVIEW APPLICATIONS OVER ONE THOUSAND ACRE-FEET.--

A. No application to appropriate water pursuant to
Section 72-5-1 or 72-12-3 NMSA 1978 for a new appropriation of
water shall be accepted by the state engineer if the
application, on its face, does not provide sufficient

underscoring material = new
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1 specificity to determine whether the proposed appropriation
2 would impair existing rights, be contrary to the conservation
3 of water or be detrimental to the public welfare.

4 B. Any application to appropriate more than one
5 thousand acre-feet of water for a new appropriation shall be
6 reviewed by the state engineer personally before being accepted
7 for filing."

8 SECTION 2. EFFECTIVE DATE.--The effective date of the
9 provisions of this act is July 1, 2013.